



3619

Attorney's Docket No. 964-991369TRANSMITTAL LETTERCOPY OF PAPERS
ORIGINALLY FILEDCommissioner for Patents
Washington, D.C. 20231Serial No.: 09/421,676Filing Date: October 20, 1999Examiner: Michael MarGroup Art Unit: 3619Invention: "INDUSTRIAL TRUCK WITH A REAR WEIGHT AND INTERNAL COMBUSTION ENGINE"

Transmitted herewith is a Response in the above-identified application.

Small entity status of this application under 37 CFR 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

No additional fee is required.

The fee has been calculated as shown below:

No of Claims After Amendment	Highest No. Previously Paid For	Present Extra	Small Entity Rate	Non-Small Entity Rate	Charge
Total <u>21</u>	<u>21</u>	<u>0</u>	x \$ <u>9.00</u>	x \$ <u>18.00</u>	\$ <u>0.00</u>
Indep. <u>3</u>	<u>3</u>	<u>0</u>	x \$ <u>42.00</u>	x \$ <u>84.00</u>	\$ <u>0.00</u>
First Presentation of Multiple Dependent Claim/s					+ \$140.00 + \$280.00
TOTAL ADDITIONAL FEE \$ <u>0.00</u>					

A check in the amount of \$ is enclosed to cover the additional fee.

A check in the amount of \$ is enclosed for a -month Petition for Extension of Time.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. An original and two copies of this sheet are enclosed.

Any additional filing fees required under 37 CFR 1.16.

Any patent application processing fees under 37 CFR 1.17.

March 4, 2002

Date

By


William H. Logsdon
Registration No. 22,132
Attorney for Applicant
700 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219-1818
Telephone: (412) 471-8815
Facsimile: (412) 471-4094

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03/04/2002

Date

Signature

Patricia M. Lynch

Typed Name of Person Signing Certificate



PATENT APPLICATION *rec, recs*
Serial No. 09/421,676
Atty. Docket No. 964-991369
#1410
(N. E.)
3/10-0
J.W.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 3619 :
In re application of :
BERNHARD GOTZ : **INDUSTRIAL TRUCK WITH A REAR
WEIGHT AND INTERNAL COMBUSTION
ENGINE**
Serial No. 09/421,676 :
Filed October 20, 1999 :
Examiner Michael Mar :
Commissioner for Patents
Washington, D.C. 20231 :
Pittsburgh, Pennsylvania
March 4, 2002

RESPONSE

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Sir:

In response to the Office Action dated December 4, 2001, Applicant submits the following remarks.

REMARKS

Claims 1, 21, and 22 stand rejected under 35 U.S.C. § 103(a) for obviousness over the teachings of either U.S. Patent No. 6,138,783 to Chene et al. (hereinafter "Chene") or U.S. Patent No. 4,159,126 to Raleigh. In view of the following remarks, Applicant respectfully requests reconsideration of these rejections.

Claim 1 is directed to an industrial truck having a frame and a rear weight separate from the frame and connected to the frame. An internal combustion engine is mounted on the rear weight, with the rear weight positioned between the engine and the frame such that vibrations from the engine are transmitted from the engine to the rear weight and from the rear weight to the frame.

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03/04/2002

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